

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: :
:
AVAYA, INC., : Chapter 11
: Case No. 17-10089 (SMB)
:
Debtor. :
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**MEMORANDUM DECISION AND ORDER DENYING
MOTION FOR EXTENSION AND RELATED RELIEF**

Avaya moved for summary judgment in connection with its objection to claim no. 3103 on November 21, 2018. The claim was filed by Alan Wattenmaker, a former employee of Avaya. As explained more fully in the *Order Granting Claimant's Request to Extend the Deadline for Replying to the Debtor's Summary Judgment Motion*, dated Feb. 21, 2019 (ECF Doc. # 2303), the Court granted Wattenmaker until midnight on April 1, 2019 to file further opposition to Avaya's motion. This extension provided Wattenmaker an additional six weeks to respond to a motion that had already been pending for three months.

Today, only a few days before the response deadline, Wattenmaker filed another application for an extension. He says he wants to make a motion to dismiss Avaya's summary judgment motion based on procedural infirmities, but if the Court denies his request, he still wants an extension of the April 1 deadline to give the Court a chance to render a decision on his new application and communicate it to him.

The application for an extension is denied. Wattenmaker can raise any perceived procedural or substantive problems with Avaya's summary judgment motion in his opposition to that motion. Furthermore, this decision, rendered the same day as

Wattenmaker's application will not delay anything, and the Court will apprise him of this decision by first class mail, email and telephone.

So ordered.

Dated: New York, New York
Mar. 27, 2019.

/s/ Stuart M. Bernstein
STUART M. BERNSTEIN
United States Bankruptcy Judge